



House of Representatives

General Assembly

File No. 723

January Session, 2005

Substitute House Bill No. 6539

House of Representatives, May 5, 2005

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING IDENTIFICATION OF A LANDLORD.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2005*) (a) As used in this
2 section, "address" means a location as described by the full street
3 number, if any, the street name, the city or town, and the state, and not
4 a mailing address such as a post office box, and "dwelling unit" means
5 any house or building, or portion thereof, which is rented, leased or
6 hired out to be occupied, or is arranged or designed to be occupied, or
7 is occupied, as the home or residence of one or more persons, living
8 independently of each other, and doing their cooking upon the
9 premises, and having a common right in the halls, stairways or yards.

10 (b) Any municipality may require the owner of occupied or vacant
11 rental real property to maintain on file in the office of the tax assessor
12 or other municipal office designated by the municipality, the current
13 residential address of the owner of such property, if the owner is an
14 individual, or the current residential address of the agent in charge of

15 the building, if the owner is a corporation, partnership, trust or other
16 legally recognized entity owning rental real property in the state. If
17 such residential address changes, notice of the new residential address
18 shall be provided by such owner or agent in charge of the building to
19 the office of the tax assessor or other designated municipal office not
20 more than twenty-one days after the date that the address change
21 occurred. If the owner or agent fails to file an address under this
22 section, the address to which the municipality mails property tax bills
23 for the rental real property shall be deemed to be the owner or agent's
24 current address. Such address may be used for compliance with the
25 provisions of subsection (c) of this section.

26 (c) Service of state or municipal orders relating to maintenance of
27 such rental real property or compliance with state law and local codes
28 concerning such real property directed to the owner or agent at the
29 address on file, or deemed to be on file in accordance with the
30 provisions of this section, shall be sufficient proof of service of notice
31 of such orders in any subsequent criminal or civil action against the
32 owner or agent for failure to comply with the orders. The provisions of
33 this section shall not be construed to limit the validity of any other
34 means of giving notice of such orders that may be used by the state or
35 such municipality.

36 (d) Any person who violates any provision of this section shall have
37 committed an infraction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	New section

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 06 \$	FY 07 \$
Various Municipalities	See Below	See Below	See Below

Explanation

The bill enables municipalities, if they choose to do so, to require landlord/owners of multi-family apartments to provide certain contact information on file with the tax assessor. Under current law, rental property owners are required to file name and address of landlord with the municipality through the certificate of occupancy and with the municipality's tax and assessor's offices for property tax purposes. The administrative cost to municipalities that choose to tabulate such information is anticipated to be minimal otherwise it is assumed that municipalities would not elect to collect this information due to cost concerns.

OLR Bill Analysis

sHB 6539

AN ACT CONCERNING IDENTIFICATION OF A LANDLORD**SUMMARY:**

The bill allows municipalities to require the owners of rental property, or their agents, to maintain their current residential addresses on file in the municipality where the property is located. The property owner or agent must maintain the residential address on file whether the property is occupied or vacant. The owner or agent must inform the municipality when his residential address changes.

If the owner or agent fails to file his address, the address to which the municipal tax assessor mails the property tax bills for the property is deemed to be his current residential address under the bill. The bill specifies that a post office box is not considered an address.

When the state or a municipality serves orders for certain reasons to an owner or agent who is required to file his residential address under the bill, that action is sufficient proof of service in any subsequent criminal or civil action against him for failure to comply with the orders.

Violators, presumably owners or agents whose address is on file as a post office box, commit an infraction.

EFFECTIVE DATE: October 1, 2005

RESIDENTIAL ADDRESS REQUIRED TO BE ON FILE

The bill allows municipalities to require the owners of rental property to maintain on file in the tax assessor's office where their property is located, or other office the municipality designates, his current residential address, if he is an individual, or the address of the agent in charge if the owner is a corporation, partnership, trust, or other legally recognized entity.

Address and Dwelling Unit

The bill defines “address” as a location (1) described by the street name and full street number, if any; (2) the city or town; and (3) the state. The bill specifies that “address” does not include a post office box. “Dwelling unit” means any house or building, or portion of one, which is rented, leased, or hired out to be occupied, or is arranged or designed to be occupied, or is occupied, as the home or residence of one or more persons, living independently of each other, and doing their cooking on the premises, and having a common right in the halls, stairways, or yards.

Service of Orders

Under the bill, when the state or a municipality serves orders to the owner or agent regarding (1) the maintenance of his rental property or (2) compliance with state law and local codes at the address on file, which is considered his residential address under the bill, that action is sufficient proof of service of notice of the orders in any subsequent criminal or civil action against the owner or agent for failure to comply with the orders. The bill does not limit the validity of any other means of giving notice of such orders that the state or a municipality may use.

Address Change

If the owner’s residential address changes, the owner or his agent must provide the new address to the tax assessor or other designated municipal office no later than 21 days after the date that the address change occurred.

Violations

The bill makes a violation of its provisions an infraction. It appears that an owner or agent who fails to file a residential address, which would be evident when the address on file is a post office box, is a violator. It is unclear if failure to notify the municipality of an address change is also a violation.

BACKGROUND

Legislative History

The House referred the bill (File 363) to the Judiciary Committee on April 19. On April 26, the committee favorably reported a substitute

that applies the address requirement to all rental property owners in a municipality that requires it instead of rental property owners of housing with six or more dwelling units. It also specifies that the when an owner or agent fails to file an address, the address where the municipality mails the tax bill is where service notice will be mailed and that is sufficient proof of service.

COMMITTEE ACTION

Select Committee on Housing

Joint Favorable Substitute Change of Reference

Yea 11 Nay 0

Planning and Development Committee

Joint Favorable Report

Yea 13 Nay 5

Judiciary Committee

Joint Favorable Substitute

Yea 40 Nay 0